INTRODUCTION. This is a collection of policies that have been adopted by the West Newbury Board of Selectmen and are currently in effect. The list of policies included in this booklet are listed in alphabetical order in the Table of Contents below (and, in the PDF version, are hyperlinked from the Table of Contents). Former Board of Selectmen policies that have been repealed and are no longer in effect are listed at the end of the booklet. Policies currently in effect but excluded from this publication are listed on page 2.

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All Board of Selectmen policies are on file with the Board of Selectmen, and at www.wnewbury.org

Policies of the Board of Selectmen
Approved policies through January 6, 2020
Disclaimer: Former Board of Selectmen policies that have been repealed and are no longer in effect are listed at the end of the booklet. This booklet does not include the following Board Policies, which are in effect and published separately:

Committee Handbook

Designer Selection Procedures

Financial Policies

Lodging House Regulations, 4 Lodgers and Over

Personnel Policies including:
Appendix A: Affirmative Action Plan
Appendix B: Safety Policy
Appendix C: Commercial Driver’s License Alcohol and Drug Testing Policy
Appendix D: Policy and Procedures Concerning Sexual Harassment
Appendix E: E-mail, Internet and Social Media Use Policy
Appendix F: Massachusetts Commission Against Discrimination, MCAD Guidance Pregnant Workers Fairness Act

Rental of Town Facilities Policy

Special Events Policy

Traffic Rules and Orders

Town staff have applied best efforts to prepare a complete booklet of policies, including notation of policies not included herein. Unintentional omission of Board policies from this booklet or the list above does not affect the validity or enforceability of any such policies. Updates will be made on an ongoing basis, as needed to reflect current or new policies, and policies as may be revised.

All Board of Selectmen policies are on file with the Town Clerk, and online at www.wnewbury.org

Signed,

[Signatures]

David Archibald, Chair
Glenn Kember
Rick Parker

West Newbury Board of Selectmen
November 25, 2019, with amendments through January 6, 2020
1. **Agenda Items**
   All items for the agenda or requests to be heard by the Selectmen must be in the Office of the Board of Selectmen by 12:00 noon on the Wednesday prior to the following Monday meeting.

   *Adopted: date unknown*

2. **Annual Election of Officers Policy**
   Annually each town board, committee and commission shall elect a Chairperson & Clerk at their first meeting after July 1st each year or by statute, regulation or bylaw. The Chairperson will then communicate the vote to the Town Manager and update the town’s website.

   *Adopted: 5/29/2018*  
   *Amended: 11/25/2019*

3. **Ballot/Warrant Proof-Reading**
   The draft of each item on the ballot of every election and every Town Meeting Warrant shall be reviewed for accuracy and content by the Board of Selectmen, Town Clerk, Town Manager, and Town Counsel before being sent to the printer.

   *Adopted: 7/31/2006*  
   *Amended: 8/6/2018*

4. **Certificate of Insurance and Signed Contracts for Snow Removal Drivers**
   The Board of Selectmen requires that Snow Removal Drivers who plow for the Town of West Newbury are required to sign the Town’s contract and to provide a Certificate of Insurance naming the Town as an additional insured, in the amount required by the Board of Selectmen.

   *Adopted: 12/15/2014*  
   *Amended: 8/6/2018*

5. **Events Requiring a Police Detail for Public Safety**
   The Town shall require all parties, excluding municipal departments, working on public ways, or ways in which the public has a right of access, to have a police officer on duty in cases where the Chief of Police, his designee, or the appointing authority deems a potential hazard to the safety and welfare of the public is present. The Town shall also require that a police officer(s) be assigned to all public functions that involve dispensing of alcoholic beverages and any public function that charges its patrons for admission which in the opinion of the Chief of Police, his designee, or the appointing authority may pose a threat to the keeping of the peace.

   *Adopted: 2/20/2007*

6. **Explanations of Overtime Pay**
   The Town Manager requires that Department Heads provide explanations when there are overtime hours on an employee’s time sheet.

   *Adopted: 8/25/2014*  
   *Amended: 8/6/2018*
7. **Fair Labor Standards Act**

Town employees who work over 80% of their time in law enforcement are exempt from the provision of the Fair Labor Standards Act in the duties as call fire-fighters and will be paid on the same basis as any other firefighter.

*Adopted: 9/21/1998*

8. **Fall Special Town Meeting Schedule**

The Fall Special Town meeting will be scheduled between October 15 and November 15; shall be announced six weeks prior to the meeting date; shall have a deadline for special article requests at a date to be specified by the Board of Selectmen; require that the special article requests must be submitted to the Town Manager and Board of Selectmen in writing by the deadline; and the final drafts of the Warrant should be available for review by the Board of Selectmen, Finance Committee, Town Clerk, Town Counsel, and Town Moderator and the Town Manager one week prior to posting. For good cause or emergencies, deadlines may be changed by vote of the Board of Selectmen.

*Adopted: 10/14/1998*

*Amended: 8/6/2018*

9. **Financial Operating Procedures**

Pursuant to Sec. 8(a) of Chapter 97 of the Acts of 2017 (the Town Manager legislation), the Board of Selectmen voted to give the Town Manager the authority to establish and implement financial procedures and guidelines regarding day-to-day Town financial operations, as he or she so determines to be necessary and beneficial.

*Adopted: 1/6/2020*

10. **Fuel Efficient Vehicle Policy**

*(See also: Vehicle Replacement Plan)*

**PURPOSE**

The purpose of this policy is to establish a requirement that the Town of West Newbury purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

**DEFINITIONS**

*Combined city and highway MPG* (EPA combined fuel economy) means the fuel economy from driving a combination of 43% city and 57% highway miles and is calculated as follows:

\[
\text{Combine Fuel Economy} = 1 \times (0.43/\text{City MPG} + 0.57/\text{highway MPG})
\]

**Drive System** means the manner in which mechanical power is directly transmitted from the drive shaft to the wheels. The following codes are used in the drive field:

- AWD= All Wheel Drive: four-wheel drive automatically controlled by the vehicle powertrain system
- 4WD= 4-Wheel Drive: driver selectable four-wheel drive with 2-wheel drive option
- 2WD=2-Wheel Drive
**Heavy-duty vehicle** means a vehicle with a manufacturer’s gross vehicle weight rating (GVWR) of more than 8,500 pounds.

**POLICY STATEMENT**
In an effort to reduce the Town of West Newbury’s fuel consumption and energy costs the Board of Selectmen hereby adopts a policy to purchase only fuel-efficient vehicles to replace those municipal vehicles that fall under this policy (i.e., non-exempt vehicles) to meet this goal.

**APPLICABILITY**
This policy applies to all municipal departments of the Town of West Newbury.

**GUIDELINES**
All departments shall purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

The Town of West Newbury will maintain an annual vehicle inventory for non-exempt vehicles and a plan for replacing these vehicles with vehicles that meet, at a minimum, the fuel efficiency ratings contained in the most recent guidance for Criterion 4 published by the Massachusetts Department of Energy Resources’ Green Communities Division. The fuel efficiency ratings contained therein are based on the most recently published US Environmental Protection Agency combined city and highway MPG ratings for vehicles.

**Exemptions**
- Heavy-duty vehicles (GVWR > 8,500 pounds): examples include fire-trucks, ambulances, and some public works trucks that meet the definition of heavy-duty vehicle.
- Police cruisers, passenger vans and cargo vans are exempt from this criterion since fuel efficient models are not currently available. However, we commit to purchasing fuel efficient police cruisers, passenger vans and cargo vans when they become commercially available. Police and fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.

**Inventory**
The following information shall be included in a vehicle inventory list and said list shall be updated on an annual basis and provided to the Green Communities Division:

| Model | Make | Model Year | Drive System 2WD, 4WD, or AWD | Year/Month purchased | >8,500 Pounds? Y/N | Exempt? Y/N | MPG Rating | Vehicle Function |
|-------|------|------------|--------------------------------|----------------------|-------------------|-------------|-------------|---------------|----------------|
All non-exempt vehicles shall be replaced with fuel-efficient vehicles that adhere to the most recent Green Communities Criterion 4 Guidance. Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement vehicle meets the fuel efficiency ratings outlined in the Policy. In addition, when replacing exempt vehicles, the function of the vehicle will be reviewed for potential replacement with a more fuel-efficient vehicle, including a fuel-efficient non-exempt vehicle.

QUESTIONS/ ENFORCEMENT
All other inquiries should be directed to the Board of Selectmen. This policy is enforced by the Chief Procurement Officer on behalf of the Board of Selectmen.

Adopted: 10/15/2013
Amended: 11/25/2019

11. Grant Applications
Department Heads and Committee/Board Chairmen shall advise the Board of Selectmen and the Town Manager of any grant applications that the Department/Board/Committee may be considering. This requirement is made to allow the projection of future Town cost effects and staff time commitments that could result from the award of any grant we receive.

Before submitting any applications for grants, a summary, the Request for Proposals, and a submission schedule should be submitted to the Board of Selectmen and the Town Manager.

Adopted: 10/17/1994
Amended: 8/12/1997; 8/6/2018; 11/25/2019

Maximum opportunity will be made available to receive citizen comments, complaints, and/or to resolve grievances or inquiries.

STEP 1: The Town Clerk or Assistant Town Clerk will be available to meet with citizens and employees during business hours.

When a complaint, grievance, request for program policy interpretation or clarification is received either in writing or through a meeting or telephone call, every effort will be made to create a record regarding the name, address, and telephone number of the person making the complaint, grievance, program policy interpretation or clarification. If the person desires to remain anonymous, he or she may.

A complaint, grievance, request for program policy interpretation or clarification will be responded to within ten working days (if the person making the complaint is identified) in a format that is sensitive to the needs of the recipient, (i.e. verbally, enlarged type face, etc.)

Copies of the complaint, grievance, request for program policy interpretation or clarification and response will be forwarded to the appropriate town agency (i.e. park commission,
conservation commission). If the grievance is not resolved at this level it will be progressed to the next level.

**STEP 2:** A written grievance will be submitted to the ADA Coordinator. Assistance in writing the grievance will be available to all individuals. All written grievances will be responded to within ten working days by the ADA Coordinator in a format that is sensitive to the needs of the recipient, (i.e. verbally, enlarged type face, etc.) If the grievance is not resolved at this level it will be progressed to the next level.

**STEP 3:** If the grievance is not satisfactorily resolved, citizens will be informed of the opportunity to meet and speak with the Board of Selectmen, with whom local authority for final grievance resolution lies.

*Adopted: 4/22/1997*

13. **Meeting Minutes**

In an effort to comply with the provision of the Public Records Law requiring that minutes be available for public review, all minutes are to be provided to the Town Clerk after they are approved. The Town Clerk shall maintain a central file where minutes will be readily available for public inspection during regular office hours.

A draft of minutes should be available by the next regular meeting of any board or committee, approved or revised at that meeting, with final approval at the second regular meeting. They should be promptly filed in the Town Clerk’s Office where they become public record and are not to be removed from the Office or revised in any way. Any necessary revisions must be made at a subsequent meeting and recorded in the minutes of that meeting.

*Adopted: 7/23/1996  
Amended: 9/9/2003*

14. **Minors**

No person under the age of eighteen (18) years shall be appointed to serve on any committee or board of the Town of West Newbury; and no person under the age of eighteen (18) years shall be permitted to operate any motorized equipment, water craft, or vehicle owned or controlled by the Town of West Newbury.

*Adopted: 8/14/1998*

15. **Naming Streets**

When a preliminary plan comes before the Planning Board with a proposed street name, that name shall be submitted to the Board of Selectmen for their information and input. The Planning Board either directly or through its staff shall also consult with the Police Chief, Fire Chief and EMA Director to ensure that the proposed street name is adequately different from existing street names in order to facilitate prompt response in the event of emergency.

*Adopted: 12/12/1994  
Amended: 8/6/2018*
16. Naming Town Property and Placement of Memorials

It is the policy of the Board of Selectmen that the naming of publicly-owned property shall be done sparingly, for good cause shown.

Request for naming of any public property, such as buildings, rooms within buildings, playgrounds, recreational facilities, squares, parks and other public facilities shall be considered at an advertised public hearing before the Board or Committee responsible for operating the facility.

There will be a separate process for the naming of Conservation Lands. The name will be established as part of the process for approving the Management Plan.

The Board or Committee shall then refer a suggestion or suggestions to the Board of Selectmen with a record of the hearing and a Committee recommendation for approval. If the facility is not under the jurisdiction of a Town Board or Committee, the request shall be referred to the Board of Selectmen who shall hold said public hearing before making a decision.

It is the policy of the Board of Selectmen that the renaming of a property be done very sparingly, for compelling reasons. Renaming of a property already named for a person or family shall be undertaken only by Town Meeting.

It is the policy of the Board of Selectmen that public ways and public buildings and facilities shall not be named for living persons. Further, public ways shall not be given common first names such as “Jill’s Way” or “Ruth’s Street”.

It shall be the policy of the Board of Selectmen that the placement of memorials for a deceased Town resident or to commemorate a significant regional or national event or to commemorate the history and contributions of an ethnic or racial group within the Town of West Newbury shall be done very sparingly, for compelling reasons. Memorials shall only be allowed for deceased residents who have made a significant contribution to the community.

Before any permanent memorial may be placed on Town property, the proposed site shall be reviewed by the Police, Fire and Department of Public Works for any public safety issues. Approval of the memorial shall require a vote of the Town Meeting.

Adopted: date unknown

17. Office Space in the 1910 Office Building

The Town Manager is sole arbiter of space allocation in the building.

Adopted: 2/27/1995
Amended: 8/6/2018

18. OSHA Compliance

The Board of Selectmen voted to adopt a policy to direct that, in accordance with newly established statutory requirements effective February 1, 2019, that all Town Departments (including but not limited to DPW, Police, Fire, Water, Library, Town Office, Council on Aging etc.) shall be organized to comply with OSHA standards and requirements; and further to
authorize the Town Manager to oversee compliance with this policy, establish procedures, and assign responsibilities to personnel as necessary to achieve this objective.

Adopted: 1/7/2019

19. Permit Fees
With the exception of large projects such as the School renovation project and the Housing Authority's construction project, Inspection Department fees shall be waived for Town Departments. Permits shall be required but the fee shall not be charged.

Adopted: date unknown

20. Public Access to Documents Drafted by or Mail Addressed to the Board of Selectmen
The Board of Selectmen voted to adopt a policy stating that no mail or document addressed to or drafted by the Board of Selectmen shall be considered public property until the Selectmen have received and reviewed it as a Board in a public meeting.

Adopted 8/25/2003

21. Purchasing Products made of Recyclable Materials
Voted to establish a policy to buy products of recyclable materials in lieu of virgin products whenever possible, and when recycled products are available at comparable and competitive cost.


22. Reconciling Cash and Receivables Policy
Two of the largest assets for a community are cash and receivables. Information pertaining to these is kept by the Treasurer/Collector and the Town Accountant. A Treasurer is the custodian of revenues, tax titles, and tax possessions, while a Collector keeps listings of outstanding receivables due to the Town, and the Town Accountant is responsible for maintaining the accounting records. Prompt and frequent reconciliations between them are essential in order to maintain control and insure checks and balances are in place.

It is the policy of the Town of West Newbury that within thirty days after the end of each month, the Treasurer/Collector shall internally reconcile the cashbook to all bank statements, and the Treasurer/Collector shall internally reconcile all receivable balances with the receivable control. The results of these activities shall be forwarded to the Accountant’s office and compared to the general ledger records. If differences are determined, the Treasurer/Collector and Accountant shall reconcile the variances (e.g. missing information, errors and timing differences), with a copy of this final reconciliation forwarded to the Town Manager.

Adopted: 5/29/2018

23. Request for Review of an Issue by Town Counsel
Any request by a Department Head to have Town Counsel review an issue must be approved by the Town Manager. Any request by a Board/Commission/Committee to have Town Counsel review an issue must be approved by Chairman of the Board of Selectmen. If the Chairman is unavailable, another member of the Board may sign the request form.
   On all petition plans the location of all utilities, including water lines and siren boxes, as well as all trees within the public way or on the boundary thereof shall be included. Public hearings shall be held prior to the approval of removal of any of these trees.
   

25. Review of New Insurance Companies
   The Town Manager is authorized to review requests from new insurance companies and decide whether to consider them or not.
   

26. Review by the Town Manager of all Accident Report Forms
   All Accident Report Forms filed involving property damage or personal injury of Town vehicles or Town employees will be submitted to the Town Manager as soon as possible after the accident, forwarded to the MIIA Claims Department, and reviewed at the next meeting of the Board of Selectmen.
   
   Adopted: 9/18/06
   Amended 8/6/2018

27. Severe Weather Policy
   The West Newbury Board of Selectmen recognizes that severe weather may make it unsafe for staff to travel to work. While this is unavoidable for essential personnel (such as emergency personnel and highway department personnel) the Board has instituted this policy so non-essential personnel can avoid unsafe conditions. This policy applies to administrative and office staff at the Town Offices and Library.

   Essential personnel include Police, Fire, EMA, Dispatch, and Highway Departments whose work is necessary for public safety. Department heads will designate essential personnel in these departments.

   After considering advice from at least the DPW Director and Police Chief, the Town Manager shall decide whether Town offices will be closed to the public or if there should be a delayed opening or early closure. If the Town Manager decides that there should be a closure, delayed opening or early closure, he or she shall notify the Board of Selectmen, and will notify the Assistant to the Town Manager who will call or text Department Heads, based on advance agreement of notification method among staff. Department Heads will contact the employees in their departments to notify them of conditions of closure. The Assistant to the Town Manager will promptly notify residents via local media outlets, Town website, and social media. The Library Director will post such notices with regard to closures of the Library.
Under certain conditions, including severe weather, the Town Manager may direct employees not to report to work, delay arrival to work, or to leave work early. In these instances, employees shall be compensated for scheduled work hours.

If offices are not officially closed or delayed from opening, employees who feel that the roads are not safe for travel may choose to use vacation or personal time equal to the time missed. Once the roads are cleared, employees should make a reasonable effort to safely report to work. Department Heads must be informed about the employee’s intended plans for coming in or staying home as close to the normal opening time as possible.

If conditions develop during the work day and no decision is made to close early, any employee who feels they need to leave before conditions worsen should do so and will be required to use vacation or personal time or to make-up the time at a later date approved by the Town Manager. If the building is closed because of the decision of the Town Manager, employees will receive their normal pay for the balance of the day.

Any employee who is already scheduled for vacation time, sick time, or otherwise not scheduled to work during the affected period of time is not eligible to be paid under this policy.

Any other aspects or decisions affecting a delay or closing not covered in this policy will be at the discretion of the Town Manager.

Adopted: 1/20/2011
Amended: 10/29/2018; 11/25/2019

28. Street Opening Applications
Applications must be submitted with a site plan showing the correct location of the driveway, existing trees within the public way or on the boundaries thereof, stone walls, bound stones, all utilities including water lines and siren boxes, grading back to original undisturbed ground, and 2’ contours. Said work must be done within one year from date of permit. The plan becomes part of the permit. Application, permit, and plan are to be in the possession of the contractor at the site at time of construction. The permit does not provide authorization for the removal of trees.

Any stones removed from stone walls to be used for repair of existing stone wall and/or to finish off driveway. Contractor to locate and mark and/or replace as necessary any bound stones. Other conditions may be imposed by the Supt. Of Streets and/or Board of Selectmen.
(Comments from Director of DPW and Supt. of Water Dept. should be added.)
Adopted: 12/14/1998

29. Town Employees as Firefighters
In order to comply with the Fair Labor Standards Act, it was decided that Town Employees who also respond as call firefighters will not be additionally compensated for response to calls during their regular working hours. They will receive their regular Town hourly rate for these calls. Town employees who respond after hours and on weekends will be paid at one and one-half times a blended rate of $18.43* per hour (or current training rate) and their hourly Town rate. This overtime rate will be used for hours worked over 40 hours per week, including drills.
30. **Tree Replacement Policy**

Annual appropriation to be request to replace shade trees

Trees removed by Town or by the State on Route 113 to be replaced unless suitable specimen-type trees already exist in vicinity of removal:

On Town property if it will not interfere with roadway, overhead utilities, etc. Care shall be taken to avoid planting near roads because of salt and chemical contamination and traffic hazards;

or

Request permission of abutting land-owner to plant tree on property line.

Tree Warden to maintain list of all trees taken down.

Balance of funds to be used annually to plant trees along Main Street beginning in the Square and Town roads to replace trees taken down in previous years.

**National Grid requirements for pole locations:** On all petition plans, the location of all utilities including water lines and siren boxes, as well as all trees within the public way or on the boundary thereof shall be included. Public hearings shall be held prior to the approval of removal of any of these trees.

*Adopted: 5/27/1997*

*Amended: 11/26/1998*

31. **Vehicle Replacement Plan**

*(See also: Fuel Efficient Vehicle Policy)*

**Overview**

The Town of West Newbury’s Vehicle Replacement Plan applies to all departments within the Town of West Newbury. All departments shall replace all vehicles with fuel-efficient vehicles as described in the Town of West Newbury’s Fuel-Efficient Vehicle Policy, adopted on October 15, 2013.

**Replacement Process**

Whenever a vehicle has reached the end of its useful life, the Town of West Newbury will examine the expected use of a replacement vehicle and choose one that best fits the intended use and meets the requirements of our policy of procuring the most fuel-efficient vehicle available. We will review the most recent Massachusetts Department of Energy Resources, (DOER), Green Communities Division guidance for Criteria 4 and adhere to it in the process of replacing any vehicle.

All non-exempt vehicles shall be replaced with fuel-efficient vehicles that meet the fuel efficiency ratings detailed in Town of West Newbury’s fuel-efficient vehicle policy, which stipulates adhering to the most recent energy efficiency guidance as provided by DOER’s Green Communities Division.
Vehicles shall be replaced when they are no longer operable and will not be recycled from one municipal department to another unless the recycled replacement vehicle meets the fuel efficiency ratings outlined in the Policy.

**Annual Review**
This Vehicle Replacement Plan shall be reviewed by the Town on an annual basis, as stipulated in Town of West Newbury’s Fuel-Efficient Vehicle Policy.

*Adopted: date unknown*

32. **Warrant Articles**
   When writing warrant articles, the dollar amount should be requested rather than “a sum of money.”

*Adopted: 9/12/1994*

33. **West Newbury Town Square**
   No solicitations on the street are allowed in the West Newbury Square, in the business zone.

*Adopted: 3/7/1995*

34. **911 Training**
   For Auxiliary Police, Reserve Police, Dispatchers, and full-time Police Officers: No candidates for these positions will be hired until he/she has successfully completed dispatch 911 training at such candidate’s own expense, on such candidate’s own time.

*Adopted: 8/10/1998*

*Amended: 8/6/2018*
The following policies were repealed by the Board of Selectmen:

**APPROVAL OF FACILITY REQUEST FORMS:**

Selectmen’s Assistant is authorized to approve routine Facilities Request Forms as long as availability, insurance, and cost have been accounted for.

Adopted 11/6/2009
Repealed 08/6/2018

**NEW HIRES:**

No candidates for auxiliary police, reserve police, dispatch or full-time police officer will be hired until he/she has successfully completed dispatch 911 training at such candidate’s own expense on such candidate’s own time.

Adopted 8/10/1998
Repealed 8/6/2018

**RESERVE FUND TRANSFERS:**

Departments and Committees all must follow procedure of submitting their request to the Board of Selectmen for approval, and then to the Finance Committee for approval. Reserve fund transfers made by the Finance Committee must first go to the Board of Selectmen, and transfers made by the Board of Selectmen must still be approved by the Finance Committee.

Adopted: date unknown
Repealed 11/25/2019

**VACATION NOTICE AND NOTICE OF OTHER TIME AWAY:**

All Department Heads are required to provide written notice of the dates to be absent and delegation of authority to the Board of Selectmen, stating the limits of responsibility where applicable.

Adopted 4/11/1994
Repealed 8/6/2018

The topics above are now addressed elsewhere in Town policy.